

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 14, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

MAUI

Issuance of Revocable Permit to Beach Games Spectacular, Inc. dba BGS Incentive Activities for Beach Volleyball Activity at Wailea Beach, Maui, Tax Map Key: (2) 2-1-23:seaward of 7.

APPLICANT:

Beach Games Spectacular, Inc. dba BGS Incentive Activities whose business and mailing address is Box 6044, Kamuela, Hawaii 96743.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui, identified as seaward of tax map key:(2) 2-1-023: seaward of 7, as shown on the attached Exhibit A.

AREA:

1,000 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Raft Regatta Event.

TERM:

From 8:00 am to 2:00 pm on November 11, 2010

RENTAL:

\$100.00 (Rental will be based on 10¢ per square feet per day.)

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation", as included in Exhibit B.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for the beach volleyball activity in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition

could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

Comments were solicited from Office of Conservation & Coastal Lands and the Division of Boating & Ocean Recreation (DBOR). The Applicant is in the process of securing a permit from DBOR for the water portion of the race.

BGS Incentive Activities is requesting a right-of-entry permit for the Kawasaki Ichiban Dealer group. There will be 60 participants breaking into 4 teams. Each team will be constructing rafts on the Grand Wailea's Chapel Lawn. Each team will be given PVC piping and 2 inner tubes to construct a raft. After the rafts are constructed, each team will have 3 people at a time race their raft. The raft races are as follows: a) the Co-ed Race is approximately 15 yards out and around a buoy and back to shore, and the b) Shark Attack Race consists of each team having to retrieve an inflatable shark located around 15 yards out and back to shore. Set-up will be at 8:00 am and break down by 2:00 pm.

The proposed activity has historically and routinely occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

There are no other pertinent issues or concerns. Staff has no objection to this request.

RECOMMENDATION: That the Board

1. Authorize the issuance of a revocable permit to Beach Games Spectacular, Inc. dba BGS Incentive Activities covering the subject area for Raft Regatta Event purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Charlene E. Unoki
Assistant Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson 

Kawasaki Ichiban Dealers

November 11, 2010

Raft Regatta

Tax Map Key: (2) 2-1-23: Seaward of 007

Ocean

Boys

15 yards

100'

10'

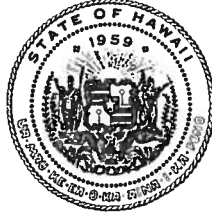
Waikiki Beach

Chapel Lawn

Grand Waikiki

EXHIBIT "A"

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Revocable Permit to Beach Games Spectacular, Inc. dba BGS Incentive Activities for Raft Regatta Event.

Project/Reference Number: None

Project Location: Wailea Beach, Maui; Tax Map Keys: (2) 2-1-23:seaward of 7

Project Description: Raft races.

Chapter 343 Trigger: Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation".

The proposed activity has historically and routinely occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

EXHIBIT "B"

Consulted Parties:

Office of Conservation and Coastal Lands
Division of Boating and Ocean Recreation

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen
Chairperson

Date